IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.508 OF 2001

Official Liquidator and Provisional Liquidator and anr. ... Petitioner

v/s

Tata Finance Ltd. ... Respondents

Mr V.S. Patole, Assistant Official Liquidator for Hitechi Jewellery Industries Ltd. (in liquidation).

Mr Santosh Shetty i/b Mr M.P. Vashi for Petitioner No.1.

Ms Shakuntala Joshi for Respondents.

CORAM : D.K. DESHMUKH J.

DATE : 28TH SEPTEMBER 2005.

P.C. :-

1. This is a petition filed under section 34 of the Arbitration and Conciliation Act 1996. So far as the petitioner No.2 is concerned, petition is already dismissed. So far as petitioner No.1 is concerned, I have heard learned counsel appearing for petitioner No.1 - Hitechi Jewellery Industries Ltd. Perusal of the record shows that on behalf of the petitioners, signature on the agreement was made by the petitioner No.2. The defence that was raised was that the agreement is forged and that the signature of petitioner No.2 on behalf of petitioner Company was obtained on blank documents. This objection has been dealt with in detail by the learned Arbitrator. The learned Arbitrator has held that signature on the agreement is admitted and no evidence is led to prove the allegation that the signature of authorised signatory of the petitioner Company was obtained on the agreement while it was blank. After having heard learned counsel for petitioner No.1, I find no reason to interfere with the finding recorded by the learned Arbitrator. Petition is therefore liable to be dismissed. It is accordingly dismissed. Petitioner No.1 Company is directed to pay cost of this petition to the respondents as incurred by the respondents.

. Parties to act on the copy of this order duly authenticated by the Associate / Personal Secretary as true copy.

. Certified copy expedited.